

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**COLLETTE L. FLANAGAN and
RONDERALINE S. ALLEN,**

Plaintiffs,

V.

**CITY OF DALLAS, TEXAS and
CLARK STALLER,**

Defendants.

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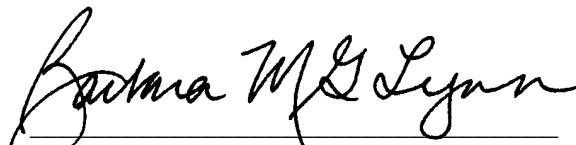
3:13-CV-4231-M-BK

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions and a Recommendation in this case. No objections were filed. The District Court reviewed the proposed Findings, Conclusions and Recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

Defendant City of Dallas's motion to dismiss is **GRANTED in part**. Plaintiffs' racial profiling and excessive force claims based on a policy of racial profiling are **DISMISSED WITHOUT PREJUDICE**. Plaintiffs may replead such claims in an effort to state a claim by **October 6, 2014**. Defendants' claims under the Fourteenth Amendment, not the Fourth Amendment, are **DISMISSED WITHOUT PREJUDICE**. The balance of Defendants' Motion to Dismiss is **DENIED**.

SO ORDERED this 23rd day of September, 2014.



BARBARA M. G. LYNN

UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS